

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

NATIONAL EDUCATIONAL
ASSOCIATION, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION, et al.,

Defendants.

Case No. 1:25-cv-00091-LM

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

After careful consideration of the parties' submissions, the supporting declarations, and the applicable law, the Court GRANTS Plaintiffs' Motion for Preliminary Injunction.

The Court hereby finds that the Plaintiffs have a demonstrated the following: a likelihood of success on the merits of their claims; that the Plaintiffs are likely to suffer irreparable harm if an injunction is not granted; that the potential harm to the Plaintiffs if an injunction is not granted outweighs the potential harm to the Defendants if an injunction is granted; and that the issuance of an injunction is in the public interest.

Pursuant to Federal Rule of Civil Procedure 65(a) and Section 705 of the Administrative Procedure Act, 5 U.S.C. § 705, this Court ORDERS as follows:

Defendants United States Department of Education; Linda M. McMahon, in her official capacity as Secretary of the Department of Education; Craig Trainor, in his official capacity as Acting Assistant Secretary for Civil Rights, Department of Education; and their agents, employees, representatives, successors, and any other person acting directly or indirectly in concert with them, are preliminary enjoined from enforcing and/or implementing the Dear Colleague Letter issued on

February 14, 2025, including through the February 28, 2025 “Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act,” and the End DEI Portal, pending the resolution of this action on its merits.

The Court further waives the requirement for security under Fed. R. Civ. P. 65(c).

This preliminary injunction shall take effect immediately upon entry of this Order and shall remain in effect until the entry of judgment in this matter or by order of the Court.

SO ORDERED this ____ day of 2025,

Landya B. McCafferty
Chief United States District Court Judge